



Attachment 2: Community Involvement Requirements and Action Plan

The activities proposed in this Community Involvement Plan address public involvement requirements established by law or regulation for all Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) sites. The information in this attachment is included as a helpful reference. The schedule at the end of this attachment is for community involvement activities planned to take place in 2010.

The citations at the end of each paragraph use the following abbreviations (in addition to CERCLA):

- NCP: National Contingency Plan
- CFR: Code of Federal Regulations

The numbers and letters in parentheses indicate the chapter, section, and paragraph where this information originates. Copies of these laws and regulations can be requested from any Environmental Protection Agency (EPA) office.

Requirement	Status for This Project
When a Site Is Added to the National Priorities List:	
When the Proposed Rule is released, EPA must publish the proposed rule in the Federal Register and seek public comments through a formal public comment period. NCP 40 CFR 300.425(d)(5)(i) When the Final Rule is released, EPA must publish the final rule in the Federal Register and respond to significant comments and significant new data submitted during the comment period in a Responsiveness Summary. NCP 40 CFR 300.425(d)(5)(i)	<ul style="list-style-type: none"> • These sites have not been listed on the National Priorities List, so this requirement is not applicable.
Prior to Remedial Investigation (RI):	
<p>Prior to the start of the remedial investigation, the lead agency must conduct community interviews with local officials, public interest groups, and community members to solicit their concerns and information needs and to learn how and when people would like to be involved in the Superfund process. (NCP 40 CFR 300.430(c)(2)(i).</p> <p>Before commencing field work for the remedial investigation, the lead agency must develop and approve a complete Community Involvement Plan based on community interviews and other relevant information, specifying the community involvement activities that the lead agency expects to undertake during the remedial response. (NCP 40 CFR 300.430(c)(2)(ii)</p>	<ul style="list-style-type: none"> • Community interviews took place in 2009. • The Community Involvement Plan is to be posted for public review in July 2010.
Before the start of the remedial investigation, the lead agency must establish at least one information repository at or near the location of the response action. Each information repository should contain a copy of items developed, received, published, or made available to the public including information that describes the Technical Assistance Grant application process. The lead agency must make these items available for public inspection and copying and must inform interested citizens of the establishment of the information repository. CERCLA 117(d); NCP 40 CFR 300.430(c)(2)(iii)	<ul style="list-style-type: none"> • Notice of availability of the information repository to be published in the Caribou County Sun and other newspapers of record in August 2010.

Requirement	Status for This Project
As the Remedial Investigation Begins:	
<p>As the RI begins, the lead agency must establish an administrative record, make it available for public inspection, and publish a notice of its availability. The lead agency must comply with the public participation procedures required in 300.430(f)(3) and shall document such compliance in the administrative record. CERCLA 113(k); NCP 40 CFR 300.815(a-c)</p> <p>When the Administrative Record is established, the lead agency must publish a notice of availability of the administrative record in a major local newspaper of general circulation. NCP 40 CFR 300.815(a)</p>	<ul style="list-style-type: none"> • Notice of availability of the Administrative Record to be published in the Caribou County Sun and other newspapers of record in August 2010.
When the Feasibility Study (FS) and Proposed Plan Are Completed:	
<p>When the RI/FS and Proposed Plan are done, the lead agency must publish a notice of the availability of the RI/FS and Proposed Plan, including a brief analysis of the Proposed Plan, in a major local newspaper of general circulation. The notice also must announce a comment period. CERCLA 117(a) and (d); NCP 40 CFR 300.430(f)(3)(i)(a)</p> <p>After the RI/FS and Proposed Plan are released, the lead agency must provide at least 30 days for the submission of written and oral comments on the Proposed Plan and supporting information located in the information repository, including the RI/FS. This comment period will be extended by a minimum of 30 additional days upon timely request. CERCLA 113(k); NCP 40 CFR 300.430(f)(3)(c)</p> <p>During the public comment period following the release of the proposed plan, the lead agency must provide an opportunity for a public meeting regarding the Proposed Plan and supporting information to be held at or near the site during the comment period. CERCLA 113 and 117(b); NCP 40 CFR 300.430(f)(3)(i)(D)</p> <p>Following the public meeting to solicit public comments, the lead agency must have a court reporter prepare a meeting transcript that is made available to the public. CERCLA 117(a)(2); NCP 40 CFR 300.430(f)(3)(i)(E) Before settlement for remedial action, such as enforcement agreements and consent decrees, become final, a notice of the proposed settlement must be published in the Federal Register for at least 30 days. This notice must state the name of the facility and the parties to the proposed agreement. Those persons who are not parties to the agreement must be provided an opportunity to file written comments for a period of 30 days. CERCLA 122; NCP 40 CFR 300.430(c)(5)(i) and (ii)</p>	<ul style="list-style-type: none"> • The Feasibility Study and Proposed Plan will not be completed until after 2010.
Pre-Record of Decision Significant Changes:	
<p>If there are significant changes to the proposed plan, the lead agency must prepare a response to significant comments, criticisms, and new data submitted on the Proposed Plan and RI/FS, and ensure that this response document accompanies the Record of Decision (ROD). CERCLA 113 and 117(b); NCP 40 CFR 300.430(f)(3)(i)(F)</p> <p>If there are significant changes to the proposed plan, the lead agency must include in the ROD a discussion of significant changes and the reasons for such changes, if new information is made available that significantly changes the basic features of the remedy and the lead agency determines that the changes could be reasonably anticipated by the public. NCP 40 CFR 300.430(f)(3)(ii)(A)</p> <p>Upon the lead agencies' determination that significant changes to the proposed plan could not have been reasonably anticipated by the public, the Agency must issue a revised Proposed Plan that includes a discussion of the significant changes and the reasons for such changes. The Agency must seek additional public comment on the revised Proposed Plan. NCP 40 CFR 300.430(f)(3)(ii)(B)</p>	<p>Activities associated with these requirements will take place after 2010.</p>

Requirement	Status for This Project
After the Record of Decision Is Signed:	
<p>After the Record of Decision is finished, the lead agency must make the ROD available for public inspection and copying at or near the site prior to the commencement of any remedial action. Also, the lead agency must publish a notice of the ROD's availability in a major local newspaper of general circulation. The notice must state the basis and purpose of the selected action. NCP 40 CFR 300.430(f)(6)</p> <p>Prior to the remedial design, the lead agency should revise the Community Involvement Plan, if needed, to reflect community concerns discovered during interviews and other activities, that pertain to the remedial design and construction phase. NCP 40 CFR 300.435(c)(1)</p>	Activities associated with these requirements will take place after 2010.
Post-Record of Decision Significant Changes:	
<p>If an Explanation of Significant Differences is needed following the Record of Decision, the lead agency must publish a notice that briefly summarizes the explanation of significant differences (ESD) and the reasons for such differences in a major local newspaper, and make the explanation of significant differences and supporting information available to the public in the administrative record and information repository. NCP 40 CFR 300.435(c)(2)(i) (A) and (B).</p> <p>If an Amendment to the Record of Decision is needed, the lead agency must propose an amendment to the ROD and issue a notice of the proposed amendment in a major local newspaper of general circulation. NCP 40 CFR 300.435(c)(2)(ii)(A).</p> <p>For a Record of Decision Amendment, the lead agency must follow the same procedures for notice and comment as those required for completion of the feasibility study (FS) and the Proposed Plan, including Public Comment Period, Public Meeting, Meeting Transcript, and Responsiveness Summary. NCP 40 CFR 300.435(c)(2)(ii) (B)-(F)</p> <p>When the Amended Record of Decision is available, the lead agency must publish a notice of availability of the amended ROD in a major local newspaper and make the amended ROD and supporting information available for public inspection and copying in the administrative record and information repository prior to commencement of the remedial action affected by the amendment. NCP 40 CFR 300.435(c)(2)(ii) (G) and (H)</p>	Activities associated with these requirements will take place after 2010.
Remedial Design:	
Upon completion of the final engineering design, the lead agency must issue a fact sheet and provide a public briefing, as appropriate, prior to beginning remedial action. NCP 40 CFR 300.435(c)(3)	Activities associated with these requirements will take place after 2010.

Action Plan for Community Involvement for the P4 Mines in 2010

Activity	Date *	How
Update Distribution List	Apr-2010	<ul style="list-style-type: none"> • Ongoing activity
Post Community Involvement Plan for public review and comment (includes information about the results of the community interviews)	Jul-2010	<ul style="list-style-type: none"> • Post on EPA, DEQ and ISU websites • Copies distributed to Information Repositories and individuals who participated in community interviews
Complete updates to the ISU website (http://giscenter-ims.isu.edu/SISP/)	Aug-2010 (update content at least every 6 months)	<ul style="list-style-type: none"> • Install Administrative Record and other project-relevant documents
Announce availability of the Information Repositories and Internet resources	Aug-2010 (update content at least every 6 months)	<ul style="list-style-type: none"> • Post on EPA, DEQ and ISU websites • Newspaper announcement (Caribou County Sun and other newspapers of record); include information about options for obtaining documents for stakeholders without Internet access
Notify stakeholders who participated in community interviews of options for obtaining project documents if they do not have Internet access	Aug-2010	<ul style="list-style-type: none"> • Notify via postcard or email
Produce and distribute factsheet	Sep-10, then annually	<ul style="list-style-type: none"> • Post on EPA, DEQ and ISU websites, mail or email to community interview participants
Produce and install a community display at the Soda Springs Library	Oct-2010	<ul style="list-style-type: none"> • Provide information about the CERCLA and the RI/FS process

* Additional activities beyond 2010 will be added to this list when the P4 technical schedule is available.